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09/552,589	04/19/2000	Masato Ochiai	35.C14438	4086

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EXAMINER

HAMILTON, MONPLAISIR G

ART UNIT PAPER NUMBER

2172

DATE MAILED: 05/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/552,589

Applicant(s)

OCHIAI ET AL.

Examiner

Monplaisir G Hamilton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5,10-28,33 and 37-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5,10-28,33 and 37-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/12/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. Claims 1-5 and 10-57 were pending. The communication filed on 3/10/03 cancelled Claims 2, 4, 29-32 and 34-36 and added Claims 58-60. Claims 1, 3, 5, 10-28, 33, and 37-60 remain for examination.

Drawings

2. The corrected or substitute drawings were received on 3/12/03. These drawings are acceptable.

Response to Arguments

3. Applicant's arguments with respect to Claims 1, 3, 5, 10-28, 33, 37-60 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1, 10, 13, 19, 22, 28, 44, 47, 55, 56, and 58-60 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant's amendments to the Claims provide "user" selection of a desired device. It is unclear what part of the original disclosure supports this claimed feature. The specification as understood by the examiner deals with searching for a device and displaying the device information.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1, 2, 5, 10, 12, 15, 17-19, 21, 24, 28, 33, 44, 46, 50, and 55-60 are rejected under 35 U.S.C. 102(a) as being anticipated by US 5872569 issued to Salgado et al, herein referred to as Salgado.

Referring to Claims 1, 10, 19, 28, 44, 55, 56:

Salgado discloses a device search system comprising a sever and a client unit, wherein said client unit comprises: first request means for requesting said server unit to execute a first search in accordance with a number of attributes in order to search for a desired device on a network (col 13, lines 20-25; col 19, lines 1-15); recognition means for recognizing whether result information obtained from the first search executed by said server unit shows a presence or an absence of at least on device (Fig 10, block 238); second request means for requesting said server unit to execute a second search in accordance with a part of the number of attributes used for the first search in order to search for a desired network device, in response to a recognition by the recognition means that the result information shows the absence of at least one device (col 19, lines 15-25); output means for outputting a search result from the first search when the recognition means recognizes that the result information shows the presence of at least one device, and for outputting a search result from the second search, which shows attributes of each

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device found in the second search, in order to enable a user to select a desired one of the found devices, when the recognition means recognizes that the search result information shows the absence of at least one device (col 17, line 50- col 18, line 30; col 19, lines 10-50;).

Referring to Claims 15, 24, 33, 50, 57:

Salgado discloses an apparatus for searching a database in accordance with a query from a client unit, said apparatus comprising: execution means for executing a search in accordance with a search request from the client unit (col 18, line 65-col 19, line 25); database control means for controlling a database in which information for identifying a device on a network and information for various attributes of the device are registered, and for controlling execution of the search for the device in accordance with the search request from the client unit (col 19, lines 1-30); reception means for receiving from the client unit a first search for a device which satisfies a number of attributes on the network (col 19, lines 10-15); recognition means for recognizing whether result information obtained from the first search shows a presence or an absence of at least one device (Fig 10, block 238); obtaining means for obtaining at least one attribute for use in a second search from the number of attributes for the first search (col 19, lines 15-25; Fig 10, block 232); search means for executing the second search for a device satisfying the at least one attribute obtained by said obtaining means, in response to a recognition by said recognition means that the search result information shows the absence of at least one device (Fig 10; col 19, lines 35-45); and output means for outputting a search result from the first search when said recognition means recognizes that the result information shows the presence of at least one device, and for outputting a search result from the second search when said recognition

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means recognizes that the result information shows the absence of at least one device (col 19, lines 35-45).

Referring to Claims 2, 12, 17, 21, 46:

Salgado discloses the limitations as discussed in Claims 1, 10, 15, 19, and 44 above.

Salgado further discloses the output means selectively outputs the search result from the first search or the search result from the second search (col 19, lines 10-30).

Referring to Claim 5:

Salgado discloses the limitations as discussed in Claim 1. Salgado further discloses storing symbol information, including graphical icon information, corresponding to an attribute used for the first search, and when the search result from the second search is outputted and when the information showing the presence or an absence of at least one device found in the first search is outputted, a presence or an absence at least one device or each attribute of each device is shown in accordance with a display mode of the graphical icon corresponding to each attribute (col 19, line 50-col 20, line 35).

Referring to Claim 18:

Salgado discloses the limitations as discussed in Claim 17. Salgado further discloses control means returns the search result from the first search to the client unit when a device to be outputted as the search result is present, and returns the search result from the second search to

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the client unit when a device to be outputted as the search result is not present (Fig 10; col 19, lines 35-45).

Referring to Claims 58, 59 and 60:

Salgado in view of Owa disclose the limitations as discussed in Claims 15, 24 and 50.

Salgado further discloses output means outputs device names and information that shows attributes satisfied by the devices so that the user may select a desired one of the devices (col 17, line 65-col 18, line 10).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 11, 13-14, 16, 20, 22-23, 25-27, 37-43, 45, 47-49 and 51-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5872569 issued to Salgado et al, herein referred to as Salgado in view of US 6348971 issued to Owa et al herein referred to as Owa.

Referring to Claims 11, 16, 20, 25, 45 and 51:

Salgado discloses the limitations as discussed in Claims 10, 15, 19, 24, 44 and 50 above.

Salgado does not explicitly disclose “attributes for device controlled by the database include an indispensable attribute registered whenever a device is registered in the database and attributes other than an indispensable attribute, and said second request means extracts only the indispensable attribute from the number of attributes used for the first search in order to request the second search.”

Owa discloses attributes for device controlled by the database include an indispensable attribute registered whenever a device is registered in the database and attributes other than an indispensable attribute (col 5, lines 5-10, 49-53), and said second request means extracts only the indispensable attribute from the number of attributes used for the first search in order to request the second search (col 6, lines 6-15).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Salgado such that an indispensable attribute is part of

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both a first and second search. One of ordinary skill in the art would have been motivated to do this because it would link the first and subsequent search criteria, and it would enable the user to decide which conditions or attributes are important (col 5, lines 45-50).

Referring to Claims 13, 22 and 47:

Salgado in view of Owa disclose the limitations as discussed in Claims 11, 20 and 45.

Salgado further discloses output means outputs device names and information that shows attributes satisfied by the devices so that the user may select a desired one of the devices (col 17, line 65-col 18, line 10).

Referring to Claims 14, 23 and 48:

Salgado in view of Owa disclose the limitations as discussed in Claims 11, 20 and 45.

Salgado further discloses storing symbol information, including graphical icon information, corresponding to an attribute used for the first search, and when the search result from the second search is outputted and when the information showing the presence or an absence of at least one device found in the first search is outputted, a presence or an absence at least one device or each attribute of each device is shown in accordance with a display mode of the graphical icon corresponding to each attribute (col 19, line 50-col 20, line 35).

Referring to Claims 26 and 52:

Salgado in view of Owa disclose the limitations as discussed in Claims 25 and 51 above. Salgado further discloses the output means selectively outputs the search result from the first search or the search result from the second search (col 19, lines 10-30).

Referring to Claims 27 and 53:

Salgado discloses the limitations as discussed in Claims 26 and 52. Salgado further discloses control means returns the search result from the first search to the client unit when a device to be outputted as the search result is present, and returns the search result from the second search to the client unit when a device to be outputted as the search result is not present (Fig 10; col 19, lines 35-45).

Referring to Claims 37-43, 49, 54:

Salgado discloses the limitations as discussed in Claims 1, 10, 15, 19, 24, 28, 33, 44, and 50 above.

Salgado does not explicitly disclose the second search is executed based on at least one of a color printing attribute, a finishing attribute, and a print layout attribute, and the output means displays on a display unit at least one printer identifier that corresponds to a printer found in the second search.

Owa discloses the second search is executed based on at least one of a color printing attribute, a finishing attribute, and a print layout attribute, and the output means displays on a

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display unit at least one printer identifier that corresponds to a printer found in the second search (col 5, lines 1-5; col 6, lines 10-40).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Salgado such that printing attributes are used in the second search. One of ordinary skill in the art would have been motivated to do this because it would allow the user to find a printer with the specified attributes (col 6, lines 50-65).

Prior Art

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5715444 issued to Danish et al. Danish discloses a process for identifying a single item from a family of items presents a user with a feature screen having a series of groupings. Each grouping represents a feature having a set of alternatives from which to select. Selected alternatives are used as a selection criteria in a search operation. Results of the search operation is a revised feature screen indicating alternatives that remain available to the user for further selection and searching. The feature screen and search process, therefore, presents the user with a guided nonhierarchical parametric search to identify matching items based upon user specified criteria and priorities. Also disclosed is an adaptation of the claimed method and system appropriate in an Internet environment.

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Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monplaisir G Hamilton whose telephone number is 1703-305-5116. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on 1703-305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are 1703-746-7239 for regular communications and 1703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 1703-305-3900.

Monplaisir Hamilton
April 30, 2003



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